



IRCP

Institute for International Research on Criminal Policy
Ghent University

T. Vander Beken – Sports and Trafficking in Human Beings – Ghent 24 September 2004

Sports and Trafficking in Human Beings

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Ghent, 24 September 2004



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Overview

1. The stories of Musa, Omo, Mana and others
2. What happened here?
3. Trafficking in human beings?
4. Conclusions
5. Recommendations



1. The story of Musa, Omo, Mana and others

Leaving the country to become rich and famous

Assistance to realise this dream

Promises (money, status,...)

The dream does not last (long)

Distress, poverty and illegality in the “promised” land



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2. What happened here?

Sports as **big business** for many clubs, federations, players, private companies and individuals

Activities of individual athletes and **players as key elements** in the economic sector/profit

Finding the “right” athlete (cheap to “buy”, profitable to “sell” or “lease”)

Risk that human beings are traded a **commodity**

Use of deception, fraud, the position of vulnerability



3. Trafficking in Human Beings (a)

Trafficking in human beings high on the ***policy agenda***

Push-pull factors stimulate people to migrate to the West

(organised) criminals “help” to illegally cross borders
(human ***smuggling***)

(organised) criminals threaten, deceive, misuse of vulnerability of these people in order to exploit them
(sexually, economic activities,...) (***trafficking*** in human beings)



3. Trafficking in Human Beings (b)

“Trafficking in persons” means *“the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”* (Supplementary Protocol to the UN Convention on Transnational Organised Crime to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children of 15 November 2000)



3. Trafficking in Human Beings (c)

*“**Exploitation** shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”* (Supplementary Protocol to the UN Convention on Transnational Organised Crime to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children of 15 November 2000)



4. Conclusions

Sports as an important ***economic*** sector

No ***legal vacuum*** for sports

Basic rights for employees/human beings
cannot be disregarded

Exploitation of people is a crime, punishable
with high (prison) sentences



5. Recommendations (a)

Awareness about the risks to human trafficking (EU, states, embassies, federations, clubs, general public)

Attention to both ***push and pull factors***

Improving the ***existing legal framework***:

- transfers of minors

- obligation to sign an official document by test-player and club explicitly stipulating some of their rights: insurance, medical care, payment of transport to the country of origin,...

- A sufficiently high minimal wage for (foreign) professional sportsmen

- A clear legal status for “agents”

- ...



5. Recommendations (b)

Efficient and sufficient **controls** on:

The **labour** situation of athletes (labour permits, social security, black labour, labour conditions, salaries, housing,...)

Residence permits

Effective (**non-criminal**) **sanctions** for clubs, federations, managers

A **criminal policy** recognising the risk to trafficking in human beings in sports (investigation, prosecution and effective criminal punishment)